

PHILLIP A. TALBERT  
Acting United States Attorney  
DEBORAH LEE STACHEL, CSBN 230138  
Regional Chief Counsel, Region IX and  
CHRISTOPHER J. HARRIS, GABN 329698  
Acting Regional Chief Counsel, Region VI  
LINDA H. GREEN, TXBN 08365480  
Special Assistant United States Attorney 160  
Spear Street, Suite 800  
San Francisco, CA 94105  
Telephone: (214) 767-6154  
Facsimile: (415) 744-0134 Email:  
[linda.green@ssa.go](mailto:linda.green@ssa.go)

Attorneys for Defendant

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION**

CHARLES KENT,

Plaintiff,

vs.

KILOLO KIJAKAZI,  
Acting Commissioner of Social Security,

Defendant.

Case No.: 2:21-CV-00425-JAM-JDP

STIPULATION TO VOLUNTARY  
REMAND PURSUANT TO SENTENCE  
FOUR OF 42 U.S.C. § 405(g) AND TO  
ENTRY OF JUDGMENT; ORDER

IT IS STIPULATED by and between Plaintiff and Defendant Kilolo Kijakazi, Acting Commissioner of Social Security, through their undersigned counsel of record, that the above-entitled action shall be remanded to the Commissioner of Social Security for further administrative proceedings.

Upon remand, the Office of Hearing Operations will remand the case to an Administrative Law Judge (ALJ) for a new decision and instruct the ALJ to re-evaluate the evidence of record. In doing so, the ALJ will offer Plaintiff the opportunity for a new hearing, take further action as necessary to complete the administrative record, and issue a new decision.

The parties further request that the Court direct the Clerk of the Court to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the Social Security Act, 42 U.S.C. 405(g).

Respectfully submitted this 30th day of March 2022.

Dated: March 30, 2022

/s/ Melissa Markos Nyman\*

MELISSA MARKOS NYMAN

Attorney for Plaintiff

\*Authorized via e-mail on March 31, 2022

/s/ David F. Chermol\*

DAVID F. CHERMOL

Attorney for Plaintiff

\*Authorized via e-mail on March 31, 2022

Dated: March 30, 2022

PHILIP A. TALBERT

Acting United States Attorney

DEBORAH LEE STACHEL

Regional Chief Counsel, Region IX

Social Security Administration

By: /s/ Linda H. Green

LINDA H. GREEN

Special Assistant United States Attorney

Attorneys for Defendant

### **ORDER**

Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand"), and for cause shown, **IT IS ORDERED** that the above-captioned action is remanded to the Commissioner of Social Security for further proceedings consistent with the terms of the Stipulation to Remand.

Dated: April 7, 2022

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ

UNITED STATES DISTRICT COURT JUDGE